THE HONOURABLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.9726 OF 2007

DATED 01.05.2007

BETWEEN
M.Jayaramaiah

… Petitioner

AND

The District Collector, Chittoor District, and others.

… Respondents

THE HONOURABLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.9726 OF 2007

ORDER:

The case of the petitioner is that one M.C.Krishnaiah, S/o Venkatappa purchased land admeasuring Acs.4.00 situated in survey

Nos.57/1 of Tirupati Urban Mandal from Sri Swami Hathi Ramji Mutt, that he obtained a ryotwari patta from Tahsildar, Chandragiri vide orders, dated 19.04.1961, and that after death of Krishnaiah, Subbamma succeeded to the property in 1963. The petitioner allegedly got Acs.2.50 from Subbamma under gift deed, dated 17.05.2001. He alleges that from 2001 onwards, he made number of representations to third respondent requesting mutation and necessary changes in record of rights, in vain. Finally, petitioner statedly issued a representation on 01.04.2007 to third respondent to enter his name in the revenue register, in vain. Therefore, in this writ petition, petitioner seeks a direction to respondents to consider his representation and enter his name in the revenue register in respect of land in survey No.57/1 of Tirupati Urban Mandal.

Admittedly, petitioner approached third respondent on 01.04.2007. Though the learned counsel for petitioner strenuously pleads that from 2001, representations are being made, copies of such representations with proper proof of service on third respondent are not filed. Therefore, the complaint of petitioner must be taken with reference to representation, dated 01.04.2007 only. As the same is cause of action for filing the writ petition, this Court is of considered opinion that inaction or delay on the part of respondents is not so arbitrary warranting exercise of extraordinary jurisdiction to issue a writ of Mandamus to respondents. This aspect of the matter has been considered by this Court in **Mir Fazle Ali Nasiri v State of Andhra Pradesh**[1].

The writ petition is misconceived and is accordingly dismissed. No costs.

(V.V.S.RAO,J)

01.05.2007.
pln

[1] 2007 (2) ALD 3